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Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference K 50 809/7 ch	**FOR FURTHER ACTION**	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/EP00/01273	International filing date (*day/month/year*) 16 February 2000 (16.02.00)	Priority date (*day/month/year*) 17 February 1999 (17.02.99)
International Patent Classification (IPC) or national classification and IPC G06K 19/077		
Applicant GIESECKE & DEVRIENT GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

   These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:

   - I ☒ Basis of the report
   - II ☐ Priority
   - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
   - IV ☐ Lack of unity of invention
   - V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
   - VI ☒ Certain documents cited
   - VII ☐ Certain defects in the international application
   - VIII ☒ Certain observations on the international application

Date of submission of the demand	Date of completion of this report
24 August 2000 (24.08.00)	22 May 2001 (22.05.2001)
Name and mailing address of the IPEA/EP Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP00/01273

I. Basis of the rep rt

1. With regard to the **elements** of the international application:*

☐ the international application as originally filed

☒ the description:

pages 1,3-5, as originally filed

pages _____, filed with the demand

pages 2, filed with the letter of 23 January 2001 (23.01.2001)

☒ the claims:

pages _____, as originally filed

pages _____, as amended (together with any statement under Article 19

pages _____, filed with the demand

pages 1-5, filed with the letter of 23 January 2001 (23.01.2001)

☒ the drawings:

pages 1, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/ or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* *Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).*

** *Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.*

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-5	NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following documents:

D1: EP-A-0 869 452 (ODS GMBH 6 CO KG) 7 October 1998
D2: EP-A-0 535 436 (GAO GES AUTOMATION ORG) 7 April 1993
D3: EP-A-0 0638 873

2. D1 describes a chip card consisting of an adapter card with the dimensions of a standard card (ID-1), which has a chip module that is detachably glued in place (Fig.3), said module being designed in the form of a minichip card. As a result of this, the user can either use the minichip card (ID-000) on its own, for example in mobile radio telephones (see D1, column 1, lines 5 and 6), or in conjunction with the adapter card as a standard card (ID-1) in devices that are designed for this format (column 4, lines 48-55). The subject matter of **Claim 1** differs from said prior art in that the chip module is detachably glued within the minichip card. This solves the problem of providing a chip module which is smaller again than the minichip card, for use in further miniaturized devices. This does not require an inventive step, however, since the provision of

the chip module in the minichip card is done by analogy with the provision of a minichip card in a standard chip card as per D1, and also serves the same purpose, that is, that of making the chip suitable for use in devices that use different card sizes. The fact that the minichip card with the removable chip module is again disposed in a recess of a card body means that the subject matter of Claim 1 not inventive, since the arrangement consisting of a standard card and a minichip card is known from D1.

Claim 2 does not add any inventive input, since, by analogy, a further level of encapsulation is simply defined herein (card body/minichip card (2)/ minichip card (3)/chip module).

The variations in thickness as per **Claim 3** result automatically from the encapsulation of the cards one within the other (see also D1, Fig. 3 and D3, column 8, lines 41-48).

The arrangement of the minichip card by means of a clear punch and connecting tabs **(Claim 4)** inside a larger card is routine practice (see, for example, D2, Figure 1 and column 1, lines 31-41). Moreover, it is an obvious step to design a recess in the larger card in such a way that the minichip card that is removed therefrom has the standard thickness prescribed for the intended application **(Claim 5)**. For example, corresponding measurements are cited in D3 (column 8, lines 37-48) which ensure that this is the case.

VI. Certain documents cited

1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date *(day/month/year)*	Filing date *(day/month/year)*	Priority date (valid claim) *(day/month/year)*
JP-A- 11203440	30 July 1999 (30.07.1999)	13 January 1998 (13.01.1998)	

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure *(day/month/year)*	Date of written disclosure referring to non-written disclosure *(day/month/year)*

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The claims contain the following points of unclarity (PCT Article 6):

In Claim 1 reference is made to a card body that has not been previously defined.

According to Claim 5, an attempt is made to define the thickness of the minichip card by the thickness of the base of the recess in the data carrier that holds it. Such a definition is not possible, however, insofar as the thickness of the recess is firstly not defined and secondly the thickness of the minichip card is likewise not in principle defined by said depth, i.e. it would also be possible to use a minichip card that protruded to a certain extent above the surface of the data carrier.